

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

TIMOTHY P. GRAHAM, JR.,)
)
)
Plaintiff,)
)
)
v.) No. 11 C 1020
)
)
CORN PRODUCTS INTERNATIONAL,)
INC.,)
)
)
Defendant.)

MEMORANDUM ORDER

Corn Products International, Inc. ("Corn Products") has filed its Answer to the Complaint of unlawful retaliatory employment practices lodged against it by Timothy Graham, Jr. That responsive pleading appears to be carefully crafted, making plain the areas on which the parties agree and those on which they part company. There is however one flaw that has prompted the issuance of this sua sponte memorandum order.

Answer ¶¶16 and 30 contain disclaimers that track the language of Fed. R. Civ. P. ("Rule") 8(b)(5) but then go on to deny the Complaint's allegations that are the subject of those disclaimers. That is of course oxymoronic--how can a party that asserts (presumably in good faith) that it lacks even enough information to form a belief as to the truth of an allegation then proceed to deny it in accordance with Rule 11(b)?

Accordingly those denials are stricken from Answer ¶¶16 and 30. There is no need for Corn Products' counsel to file any amended pleading, for the remainder of the present Answer

survives intact.



Milton I. Shadur
Senior United States District Judge

Date: March 30, 2011